

REMARKS

The present Amendment amends claims 1, 6, 7, 12 and 13 and cancels claims 2-5. Therefore, the present application has pending claims 1, 6, 7, 12 and 13.

Claim 4 stands objected to due to informalities noted by the Examiner in paragraph 2 of the Office Action. As indicated above, claim 4 was canceled. Therefore, this rejection is rendered moot. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

Claims 7 and 13 stand rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. Various amendments were made throughout claims 7 and 13 to overcome the 35 USC §112, second paragraph rejection. Therefore, this rejection is overcome and should be withdrawn.

Specifically, amendments were made to claims 7 and 13 to overcome the 35 USC §112, second paragraph rejection.

Claims 2, 4, 5 and 8-11 stand rejected under 35 USC §102(b) as being anticipated by Yamagami (U.S. Patent Application Publication No. 2002/00954789). As indicated above, claims 2, 4, 5 and 8-11 were canceled. Therefore, this rejection with respect to claims 2, 4, 5 and 8-11 is rendered moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the cancellation of claims 2, 4, 5 and 8-11 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 2, 4, 5 and 8-11 are taught or suggested by

any of the references of record. The cancellation of claims 2, 4, 5 and 8-11 was simply intended to expedite prosecution of the present application.

Applicants acknowledge the Examiner's indication in paragraph 15 of the Office Action that claim 1 is allowed.

Applicants also acknowledge the Examiner's indication in paragraphs 16 and 17 of the Office Action that claim 12 would be allowable if rewritten or amended to overcome the 35 USC §112, second paragraph rejection and that claim 6 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Amendments were made to claim 12 to overcome the 35 USC §112, second paragraph rejection and amendments were made to claim 6 to place it in independent form including all the limitations of the base claim and any intervening claims. Therefore, claims 6 and 12 are allowable as indicated by the Examiner.

Applicants further submit that since claims 7 and 13 were amended to overcome the 35 USC §112, second paragraph rejection, and claims 7 and 13 were not rejected based on prior art, claims 7 and 13 are also allowable over the prior art of record.

In view of the foregoing amendments and remarks, applicants submit that claims 1, 6, 7, 12 and 13 are in condition for allowance. Accordingly, early allowance of claims 1, 6, 7, 12 and 13 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.43447X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 684-1120